

**BIS**

**BARNES  
IACCARINO &  
SHEPHERD LLP**

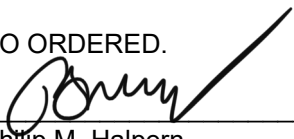
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Honorable Judge Philip M. Halpern  
United States District Judge  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

Riccardo Iaccarino  
Wendell V. Shepherd  
3 Surrey Lane  
Hempstead, NY 11550  
Tel: 516.482.2000

Application granted. On April 5, 2021, the Court received notice that defendant American Venture Construction LLC filed a Chapter 11 Voluntary Petition for Bankruptcy in the United States Bankruptcy Court for the District of New Jersey (see *In re American Venture Construction LLC*, No. 21-12650-VFP (Bankr. N.D. N.J.)). Accordingly, it is hereby ORDERED that all claims against defendant American Venture Construction LLC are stayed pursuant to 11 U.S.C. § 362. By 8/3/2021, and every 120 days thereafter, plaintiffs shall update the Court regarding the status of the bankruptcy proceeding. As defendant Alan Francisco does not appear to be in bankruptcy, the Court sees no reason to stay the action as against that defendant.

SO ORDERED.

  
Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
April 6, 2021

Re: Trustees of the District Council 9 et al., v. American Venture Construction LLC et al.  
Docket No. 21-cv-1012 (PMH)

Dear Honorable Judge Halpern:

We represent the Plaintiffs in the above referenced matter.

We recently received a Notice of Petition in the United States Bankruptcy Court District of New Jersey under Chapter 11 bearing Case Number 21-12650 filed by the Defendant, American Venture Construction LLC.

Accordingly, Plaintiffs respectfully request that the above action with respect to defendant American Venture Construction LLC be stayed or placed on an inactive status pending the final outcome of the pending bankruptcy proceeding with leave for Plaintiffs to re-open the matter upon written request if the bankruptcy case is dismissed. If the debt is discharged or the debt becomes part of a plan of reorganization "So Ordered" in Bankruptcy Court, Plaintiffs will file a voluntary notice of dismissal. In the action against the Defendant Alan Francisco, Plaintiffs respectfully request that this case not be stayed since we are not aware of any Bankruptcy Petition filed by this Defendant.

Thank you for your assistance and courtesies.

Sincerely,

  
Dana L. Henke

cc: Karen M. Hertz, Esq., [karen@hertzlegal.com](mailto:karen@hertzlegal.com), Attorney for the Defendants  
Andre L. Kydala, Esq., [kydalalaw@aim.com](mailto:kydalalaw@aim.com), Attorney for the Bankruptcy Debtor